

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

STEVE RICHARDSON, Register No. 55320,)	
)	
Plaintiff,)	
)	
v.)	No. 05-4160-CV-C-NKL
)	
KENNETH CONNELL, Automotive)	
Teacher III, et al.,)	
)	
Defendants.)	

ORDER

On January 30, 2006, the United States Magistrate Judge recommended that the motion of defendants Connell, McClane, Allan, Nevins, Murphy, and Kaiser to dismiss be granted, in part, and denied, in part. The parties were advised they could file written exceptions to the recommendation, pursuant to 28 U.S.C. § 636(b)(1)(C). No exceptions have been filed.

A review of the record convinces the court that the recommendation of the Magistrate Judge is correct and should be adopted.

On March 9, 2006, plaintiff filed a motion to dismiss his case, without prejudice. Defendants Connell, Coulson, Cofield, Conley, Palmer and Correctional Medical Services have consented to dismissal.

IT IS, THEREFORE, ORDERED that the Magistrate Judge's January 30, 2006 Report and Recommendation is adopted [41]. It is further

ORDERED that the motion of defendants Connell, McClane, Allan, Nevins, Murphy, and Kaiser to dismiss is granted, in part, and denied, in part [30]. It is further

ORDERED that plaintiff's claims against defendants McClane, Allan, Nevins, Murphy and Kaiser are dismissed, with prejudice, for failure to state a claim on which relief may be granted under 42 U.S.C. § 1983. It is further

ORDERED that defendant Connell's motion to dismiss for failure to state a claim and to exhaust administrative remedies is denied. It is further

ORDERED that plaintiff's motion to voluntarily dismiss his claims is granted and his remaining claims against defendants Connell, Palmer, Coulson, Cofield, Conley and Correctional Medical Services are dismissed, without prejudice [42].

/s/

NANETTE K. LAUGHREY
United States District Judge

Dated: April 23, 2006
Jefferson City, Missouri